



Law on the Restoration of Orderly Conditions in State and Legal Matters (Provisional State Constitution)

The previous government has led to a state of lawlessness and lack of constitution. The foundations of the coexistence of the German people, shaken since the end of the world war, have been fully destroyed, against oath and duty. Even the simplest laws of humanity have been disrespected. In order to put an end to this suffering and to return to the German nation an order befitting its character and history, I, the holder of executive power, with the consent of the men prepared to form a government, issue the following state constitution. It shall be binding for the government and the nation until a permanent constitution can be provided for the German Reich with the participation of all classes of the nation.

Article 1

The following principles shall be manifested in the behavior of all Germans toward one another and in the measures of the government and its agencies:

1. In all relationships between individuals, the rules of decency and good manners shall be the highest law of conduct.
2. Inviolability of the law, independence of jurisdiction, and security of personal freedom, the family, and private property shall be restored.
3. As for centuries, Christianity and Christian morals provide an irreplaceable foundation for German life. Undisrupted practice of

religion shall be guaranteed. The recognized Christian religious societies shall be entities of public law.

4. The defense of the German nation and its Reich against external influences and against internal subversion is the duty of every German. Every German shall behave in such a way as not to damage the common good and not to violate the honor of the German name.
5. All classes of the nation shall have a share of the material and intellectual assets of life, according to the measure of their performance. The community bears the responsibility for a humane living standard for all those who fulfill their duties toward the nation and the state. This includes care in old age, help in the event of sickness or unemployment, and the provision of housing enabling a healthy family life.
6. In the economy, the responsibility of independent businesspeople shall be restored. It is the state's task to steer the German economy as a whole in such a way as to guarantee the maintenance of the nation and an increase in prosperity for all of its classes.
7. In agriculture, the most significant source of the people's strength, a distribution of property shall be strived for which guarantees the greatest possible production of the food necessary for the national economy. Rural flight shall be countered by raising the general living conditions in the countryside, particularly through appropriate payment for the work of the rural population and through improvement of housing conditions.
8. Schools and educational institutions of all levels are called upon to teach the foundations of knowledge, physical fitness, character, and morals to the young generation for the purpose of entering public service, the church, science, art, and the economy. They serve to develop a truly German culture. Teaching shall take place principally in public institutions run by the state or its territorial authorities. Religious education is an essential means of education in general education schools.
9. The free pursuit of research, teaching, and practicing art is restricted only to the extent required for external and internal security and the appropriate respect of the nation's intellectual and moral assets.
10. The German Wehrmacht is founded on universal conscription. Men with the character and mental and moral traits of the great soldiers of German history shall be appointed as its leaders. The Wehrmacht is not only the essential instrument of power of the Reich with regard to Germany's geographical position, but also an educational institution for the intellectual and moral rebirth of the nation.

11. In accordance with its historical development, the state requires a pretrained body of civil servants to exercise its governmental competences. Its position of trust among the people shall be restored. Only those who are prepared to place their full manpower at the disposal of the nation and the state and who devote themselves to their tasks with genuine patriotism, unselfishness, and loyalty, may be civil servants; in return, the state ensures them a lifelong position and the recognition of true achievements. Civil servants shall not be appointed to carry out tasks not differing in kind from those of general business life.

Article 2

(1) There is only one state authority in the Reich's territory; that of the Reich.

(2) The disparity of the previous regional states in terms of size, economy, and financial resources and the incompatibility of the administrative structure in the various Reich territories render a restructuring of the Reich imperative. Prussia shall accomplish its mission to form the Reich by waiving the cohesion of its provinces in a single state.

(3) The Reich shall be structured into states, which are both administrative areas of the Reich and territorial authorities with self-administration. The structuring shall take place on the basis of the attached document.

(4) For the exercise of self-administration and self-responsibility under the supervision of the Reich, the states shall be entrusted with tasks that require them to be actively engaged in the maintenance of the economy and culture in the parts of the Reich under their administration. They shall thereby be preservers of the valuable tradition of the German tribes and the earlier German territories. A system of financial and spending adjustment for the entire Reich area will ensure that a self-administration capable of fulfilling the tasks entrusted to it can develop in all parts of the Reich.

(5) The head of each state, as an administrative district of the Reich, shall be the governor; he shall exercise supervision of the state as an administrative territory, acting as a commissioner to the Reich government. The supreme self-administration officer of each state shall be the state captain. The governor and the state captain shall have a state council to advise them in each area of their tasks. There shall be a chamber of the economy and a chamber of labor in each state.

Each state shall form a military district headed by a military district commander; a military district may also consist of several states.

(6) The states are structured into governmental regions, which are administrative districts of the Reich, and these are structured into rural and urban districts that are both administrative districts and territorial authorities with self-administration.

(7) The Reich government shall determine by decree the date on which the restructuring is regarded as completed; this decree may also be issued for parts of the Reich. Until this date, the existing divisions and areas of competence continue to apply in the interim. The budget implementation of the previous states, particularly with regard to payments of the previous states to their affiliated territorial authorities, shall be carried out for Prussia directly by the Reich finance minister and the other competent Reich ministers, and for the other states by the offices instructed by the Reich government. The Reich shall be the legal successor to the previous states. It shall transfer appropriate parts of the previous state assets to the newly formed states. The same applies to the Prussian provinces and the previous *Reichsgaue*.

(8) Paragraphs 1–7 shall be applied analogously to the three Reich cities.

Article 3

(1) The administration shall be exercised either by direct authorities of the state or by offices of the territorial authorities. It shall be performed in a manner close to the people. The business of administration shall be transferred under the guidance of the central Reich authorities to a great extent to the offices at the level of states, regions, and districts, to be carried out autonomously.

(2) In order to ensure uniform administration, the only special state authorities existing alongside the Wehrmacht command offices, the authorities for general administration, and the court, shall be for the administration of taxes and customs, the railroads, and the post office.

(3) Administrative acts that interfere with the freedom of the individual or restrict control of property, such that the usual courts are not responsible for them, shall be subject to review by independent administrative courts.

Article 4

(1) Authority over the state shall be exercised in the name of the Reich by the head of state and the Reich government.

(2) The head of state and the Reich government shall be accompanied by a state council.

Article 5

(1) The head of state shall be the preserver of the principles on which the regained order of Germany is based.

(2) The head of state shall be the regent of the German Reich. Responsible before God and the name of Germany, he shall be the protector of all works of peace and the first servant of the state, equally obliged to the Germans of all tribes, and in the hour of danger shall lead the people in arms as supreme commander.

Article 6

(1) The Reich government shall consist of the Reich Chancellor as chairman and the Reich ministers.

(2) The Reich ministers shall be:

1. the Reich Minister and Minister of the Exterior,
2. the Reich Minister and Minister of War,
3. the Reich Minister and Minister of the Interior,
4. the Reich Minister and Minister of Finance,
5. the Reich Minister and Minister of Justice,
6. the Reich Minister and Minister of Agriculture,
7. the Reich Minister and Minister of the Economy and Labor,
8. the Reich Minister and Minister of Education,
9. the Reich Minister and Minister of Transport.

(3) On the Reich Chancellor's proposal, the head of state may appoint further Reich ministers with particular portfolios and Reich ministers without portfolio.

(4) The Reich Chancellor shall issue standing orders for the Reich government with the agreement of the Reich government.

Article 7

The head of state shall be responsible for:

- 1) The representation of the Reich under international law.
- 2) The supreme command of the Wehrmacht.
- 3) The appointment and dismissal of the Reich Chancellor and, on his proposal, of the other ministers. Before dismissing the Reich Chancellor, the head of state shall consult the Reich government, which shall meet for this purpose under his chairmanship.
- 4) The appointment and dismissal of officers and Reich civil servants; through a decree issued by the head of state with the approval of the Reich Chancellor, the appointment of officers and Reich civil servants may be

transferred to the appropriate Reich ministers or other offices of the Wehrmacht or administrative bodies.

5) The granting of pardons.

6) The bestowing of titles, medals, and decorations of distinction.

Article 8

The head of state shall obtain the countersignature of the Reich Chancellor or the Reich minister responsible for the area in question for all directives and regulations. This countersignature is not required for exercising supreme command of the Wehrmacht, as far as matters of command are concerned; this exception does not include the appointment and dismissal of officers, which shall take place with the countersignature of the Reich Minister of War.

Article 9

(1) The Reich government shall pass laws with the approval of the head of state, who shall issue and announce them. Before passing laws, the Reich government shall consult the council of state, unless the passing of the law cannot be postponed.

(2) The head of state shall decide on matters of war and peace with the approval of the Reich government. The same applies for the conclusion of alliances and agreements, insofar as their content does not require the form of laws.

(3) The budget shall be set by law before the beginning of each financial year. Such a law shall also be required for adopting loans and credit. The annual financial statement shall be ratified on the Reich government's proposal by the head of state, following previous review of the budget implementation by the court of auditors and consultation of the council of state.

Article 10

(1) A state council shall be formed. The council of state shall consist of men worthy of the nation's trust through their achievements, abilities, and character. The Reich ministers and the state governors are members of the council of state ex officio; the remaining members shall be appointed by the head of state on the proposal of the Reich government for a period of 5 years. If not chaired by the head of state, the council of state shall be chaired by the Reich chancellor or a minister appointed by him.

(2) The council of state shall represent the nation in its entirety until the stabilization of the general living conditions of the German nation permits the formation of a national representation on a broad basis.

(3) The powers of the council of state accrue from Article 9; in addition, the council of state shall be consulted before important administrative measures.

Article 11

(1) For the Reich ministers, members of the state governments, undersecretaries of state, Reich governors and provincial governors, chairmen of the highest Reich authorities, chief of the German police force, and chiefs of the regular and security police in office prior to this law coming into force, all these persons shall be relieved of their offices. The same applies to the Reich Protector of Bohemia and Moravia, the Governor-General of Poland, and the Reich Commissioners in the occupied territories. The Reich Defense Council and the offices of the Reich Defense Commissioners, the Supreme Police Commanders, and the Commissioners for the Four-Year Plan shall be removed from office.

(2) The cleansing of the civil service from unsuitable persons shall take place under analogous application of the Reich Law of April 7, 1933 (RGBl.I. p.175). Removal from office shall only take place if the civil servant's previous administration of his office has proved his lack of suitability or if he has abused his office. Previous membership of the party is not sufficient reason for removal from office. The dismissed civil servants shall receive a pension according to the regulations of the Reich Civil Servant Law, provided the dismissal does not take place by means of disciplinary proceedings.

Article 12

Acts of revenge against officeholders of the previous form of government shall be avoided. The condemnation of guilty parties shall take place by means of criminal or disciplinary proceedings.

Article 13

(1) The party and its structures shall be disbanded. Its officeholders shall refrain from any activity without delay. Uniforms and symbols of the party and its structures no longer may be worn.

(2) The assets of the party and its structures shall fall to the state; in appropriate cases, the state may entrust these assets to the territorial authorities. Buildings under the ownership of the party or its structures shall

be used, if suitable, to alleviate the housing shortage.

(3) The formation of new political associations is not permitted.

Article 14

(1) The Secret State Police shall be disbanded. Any powers exercised by it for securing public order which are not dispensable shall be carried out according to the laws by the offices of the general administration.

(2) The concentration camps shall be disbanded. The inmates shall be released. Separate rulings shall be issued on the date of release and reintegration of inmates into general economic life.

Article 15

(1) The laws and the decrees passed on the basis of the laws shall remain in place and shall be observed until their removal or alteration. This applies subject to the following measures:

1. Should laws make reference to the National Socialist worldview, they shall be dealt with according to the principles determined in Article 1.

2. Authorizations in laws to the Reich government or individual Reich ministers, for their general supplementation or alteration, may no longer be exercised.

3. Should powers have been transferred to the Führer and Reich Chancellor in laws and decrees, these powers are analogously accorded to the head of state or the Reich government.

4. Rulings on the sterilization or emasculation of persons shall not be applied until final regulation of the subject.

5. § 1 para. 2; § 3 para. 1 clause 4 and para. 2, § 4 para. 1; § 7 para. 4, and § 71 of the Reich Civil Servant Law shall no longer apply.

6. Should the laws and decrees determine particular measures toward Jews and half-breeds, the following applies until there is final regulation on the matter:

a) Regulations including disadvantages for half-breeds of the 1st and 2nd degree shall be revoked; this also applies to the regulations of § 25 of the Reich Civil Servant Law and § 15 of the Military Law.

b) Regulations and measures disadvantaging Jews shall be suspended.

(2) The Reich government shall ensure that German law in all of its parts beyond the provisions of Paragraph 1 is adapted to the principles of Article 1.

Article 16

(1) The profound destruction of public life renders it necessary to impose a state of emergency until further notice and to transfer the executive power to the armed forces. Every German is expected to help restore security and order through his behavior and thereby to enable the suspension of the state of emergency.

(2) During the state of emergency, the regulations of the law on the state of emergency apply, which comes into effect simultaneously with this law.